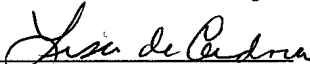


Reply Brief	
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).	
Dated: March 18, 2010	Signature:  (Lisa deCordova)

Docket No.: 58895/P004US/10306553
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Robert E. Cavanaugh

Application No.: 10/687,413

Confirmation No.: 8593

Filed: October 16, 2003

Art Unit: 2431

For: SYSTEMS AND METHODS FOR PROVIDING
NETWORK SECURITY WITH ZERO
NETWORK FOOTPRINT

Examiner: S. H. Chen

REPLY BRIEF

MS Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

As required under § 41.41(a)(1), this Reply Brief is filed within two (2) months of the Examiner's Answer dated February 2, 2010, and is in furtherance of the Appeal Brief, filed on November 11, 2009.

No fee is required for this REPLY BRIEF.

This brief contains items under the following headings pursuant to M.P.E.P. § 1208:

- I. Status of Claims
- II. Grounds of Rejection to be Reviewed on Appeal
- III. Argument
- IV. Conclusion

I. STATUS OF CLAIMS

The status of claims remains as identified in the Appeal Brief submitted November 11, 2009 which is as follows:

A. Total Number of Claims in Application

There are 17 claims pending in the application.

B. Current Status of Claims

1. Claims canceled: 9, 10, 17-27, 31-35
2. Claims withdrawn from consideration but not canceled: None
3. Claims pending: 1-8, 11-16, 28-30
4. Claims allowed: None
5. Claims rejected: 1-8, 11-16, 28-30

C. Claims On Appeal

The claims on appeal are claims 1-8, 11-16, 28-30.

II. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

The grounds of rejection to be reviewed remain as identified in the Appeal Brief submitted November 11, 2009, which are as follows:

First Ground of Rejection – Claims 1-8, 11-16, 28-30 are rejected under 35 U.S.C. § 102(e) as being anticipated by US 2003/0229809 (hereinafter *Wexler*).

III. ARGUMENT

For the sake of brevity, the arguments in this Reply Brief do not repeat the arguments presented in the Appeal Brief of November 11, 2009 (hereinafter, the “Appeal Brief”). Instead, this Reply Brief addresses specific assertions and issues raised by the Examiner’s Answer.

First Ground of Rejection – 35 U.S.C. § 102(e) Rejection (*Wexler*)

Claims 1-8, 11-16, 28-30 are rejected under 35 U.S.C. § 102(e) as being anticipated by *Wexler*. Appellant respectfully requests that the rejection be reversed at least because of the reasons articulated below.

A. Claims 1-7

Appellant showed in the Appeal Brief of November 11, 2009 that claim 1 recites, in part, “said security device not itself having a network address or a physical address,” whereas the proxy server of *Wexler* does have a physical address. Appeal Brief at 5-6. The Examiner’s Answer responds two ways.

Firstly, the Examiner states that the above-recited feature of claim 1 actually means “‘said security device itself not having’ either ‘a network address’ or ‘a physical address’ and not both!. [sic]” (emphasis omitted). Examiner’s Answer at 10. The Examiner attempts to change the claim language so that it is different from what is meant by the Appellant. Specifically, the Examiner attempts to add an occurrence of the word *either* to claim 1, when such word clearly does not appear in claim 1. The Examiner’s interpretation of claim 1 is not only incorrect, but it also could have been presented earlier in the office action of January 2, 2009 or the office action of June 12, 2009.

Secondly, the Examiner attempts to limit the claim language to passages taken from the specification. *Id.* However, it is improper to import claim limitations from the specification. M.P.E.P. §2111.01(II) (citing, *e.g.*, *Superguide Corp. v. DirecTV Enterprises, Inc.*, 358 F.3d 870, 875, 69 USPQ2d 1865, 1868 (Fed. Cir. 2004)). Accordingly, the rejection of claims 1-7 should be reversed at least for the reasons given in the Appeal Brief.

B. Claims 8 and 11-16

In the Response to Arguments section of the Examiner’s Answer, it does not appear that the Examiner adds responsive arguments beyond those presented for claims 1-7. Specifically, the Examiner’s Answer appears to limit the claims using the specification, and such use of the specification is traversed above with respect to claims 1-7. Accordingly, the

rejection of claims 8 and 11-16 should be reversed at least for the reasons given in the Appeal Brief.

C. Claims 28-30


In the Response to Arguments section of the Examiner's Answer, it does not appear that the Examiner adds responsive arguments beyond those presented for claims 1-7. Specifically, the Examiner's Answer appears to limit the claims using the specification, and such use of the specification is traversed above with respect to claims 1-7. Accordingly, the rejection of claims 28-30 should be reversed at least for the reasons given in the Appeal Brief.

IV. CONCLUSION

Appellant believes no fee is due with this response. Please charge any fees required or credit any overpayment to Deposit Account No. 06-2380, under Order No. 58895/P004US/10306553 during the pendency of this Application pursuant to 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees.

Dated: March 18, 2010

Respectfully submitted,


By _____

Thomas Kelton

Registration No.: 54,214

FULBRIGHT & JAWORSKI L.L.P.

2200 Ross Avenue, Suite 2800

Dallas, Texas 75201-2784

(214) 855-7115

(214) 855-8200 (Fax)

Attorney for Appellant